



Faculty of Law

JAEN71, Innovation and EU Law, 7.5 credits

Innovation och EU-rätt, 7,5 högskolepoäng

Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2024-10-02. The syllabus comes into effect 2024-10-02 and is valid from the spring semester 2025.

General information

The course is an elective course within the Master's Programme in European Business Law at the Faculty of Law. The course is open to students on the programme leading to a Swedish Professional Law degree and to international students participating in exchange programmes with the Faculty of Law.

Language of instruction: English

Main field of study *Specialisation*

European Business A1F, Second cycle, has second-cycle course/s as entry
Law requirements

Learning outcomes

The aim of the course is to provide students with a deep understanding of the most relevant EU law and policy aspects related to innovation. The course will focus on the analysis of case studies in the sectors most impacted by innovation and sustainability concerns.

Knowledge and understanding

To pass the examination, the student shall be able to:

- show thorough understanding of the relevance of innovation in EU law and the EU integration process
- demonstrate in-depth understanding of the most important EU law and policy institutions involved in innovation and sustainability policies

- demonstrate a systemic understanding of the different rule-making processes that are involved in the advancement of innovation policies
- reflect on how different EU law and policy institutions change over time and understand the challenges of anticipatory regulation.

Competence and skills

To pass the examination, the student shall be able to:

- apply different regulatory perspectives and approaches to innovation subjects in the EU legal order
- discuss the mechanisms of the EU legal and institutional ecosystem for digital transition
- develop legal arguments for securing inclusive digital transition at the EU level
- design experimental clauses enabling just and democratic digital transitions and suitable for the promotion of sustainable policies
- identify legal, ethical and social-economic issues raised by implementation of emerging technologies and propose practical solutions
- assess the impact of technological and legal innovation on the development of EU law and propose solutions for the orientation of social and environmental policy
- present the results both in oral and writing during the seminars and for the final written assignment.

Judgement and approach

To pass the examination, the student shall be able to:

- display the ability to work in a cross-disciplinary and diverse setting, e.g. with colleagues from different cultural backgrounds and genders
- critically assess the legal aspects of EU innovation policies and their impact at the national and global level
- consider and discuss social, ethical and sustainability-related aspects of innovation within the European legal framework, and form individual legal opinions and arguments based on such reflections.

Course content

The course prepares students for the changing landscape of legal innovation and rapid technological advancements in the European Union. The innovation principle promotes smart, future-oriented regulation, and policies designed to encourage innovation activities that can deliver socially and environmentally beneficial progress. Within this framework, legal innovation is particularly relevant for fields of advanced technologies, such as big data and AI, energy, healthcare and financial technologies (fintech).

The course is divided into two fundamental parts. The first part provides a framework on EU law and policy categories and discusses examples of innovation through emerging technologies as well as sector-specific applications and cases. The second part of the course further develops the concepts introduced in part I, by exploring the interrelationships of legal innovation with the new technologies of the digital era and with the new perspectives of economic, social, and environmental sustainability.

Course design

Students obtain knowledge and competences by means of individual study of course materials, in particular, EU legislation, case law of the Court of Justice, and relevant literature, and by taking actively part in lectures and seminars.

The course consists of lectures, seminars and a final individual assignment.

Assessment

Student performance is assessed by the following methods:

1. A written take-home exam consisting of an independent analysis of a self-identified problem related to legal innovation in the EU legal order, its presentation orally in class and a peer review on another student's paper (80% of the final grade)
2. Attendance and oral presentation of group work assignments in seminars (20% of the final grade)

The students must pass each component separately to obtain a pass grade on the course. A student who fails to attend a seminar will be required to submit a compensatory assignment showing an adequate level of proficiency.

The examiner, in consultation with Disability Support Services, may deviate from the regular form of examination in order to provide a permanently disabled student with a form of examination equivalent to that of a student without a disability.

Grades

Grading scale includes the grades: Fail, Pass, Pass with Credit, Pass with Distinction

B – Pass

In order to achieve this grade the student must show a good degree of competence and knowledge of legal issues posed by or affecting the regulation of innovation in the EU legal order. This includes sound knowledge of policy documents and legal sources, their application and scope, and advanced ability to apply to law in a factual or hypothetical scenario.

BA – Pass with credit

In order to achieve this grade the student must show a high degree of competence and knowledge of legal issues posed by or affecting the regulation of innovation in the EU legal order. This includes advanced knowledge of policy documents and legal sources, their application and scope, and advanced ability to apply to law in a factual or hypothetical scenario.

AB – Pass with distinction

In order to achieve this grade the student must show an excellent degree of competence and knowledge of legal issues posed by or affecting the regulation of innovation in the EU legal order. This includes excellent knowledge of policy documents and legal sources, their application and scope, and advanced ability to apply to law in a factual or hypothetical scenario.

Entry requirements

Passed examination in courses corresponding to the first year of the Master's programme in European Business Law, amounting to at least 30 credits.

For students on the Professional Law Degree Programme the entry requirements for semesters 7 and 8 are outlined in the Programme syllabus (utbildningsplanen).

Exchange students must have passed at least two and a half years of law studies at university level including basic knowledge of EU law.

Further information

The University views plagiarism as a very serious academic offence and will take disciplinary actions against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

According to the Faculty of Law's Policy for Generative Artificial Intelligence (GAI) in Teaching and Assessment as Applicable to Students, all submitted texts in examinations must be based on independent work. As a student, you must be able to account for, justify, develop, and modify all parts of your submitted course assignments.